

EXHIBIT B

COPY

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2015 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

TEOFIL BRANK,
aka "Jarec Wentworth,"
aka "@JarecWentworth,"

Defendant.

CR No. 15-00131(A)-JFW

F I R S T
S U P E R S E D I N G
I N D I C T M E N T

[18 U.S.C. § 875(d): Transmitting Threatening Communications with Intent to Extort; 18 U.S.C. § 1951(a): Extortion and Attempted Extortion Affecting Interstate Commerce By Nonviolent Threat; 18 U.S.C. § 880: Receiving Proceeds of Extortion; 18 U.S.C. § 1952(a)(3): Use of an Interstate Facility to Facilitate an Unlawful Activity; 18 U.S.C. § 924(c)(1)(A)(i): Possession of a Firearm in Furtherance of a Crime of Violence; 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), 21 U.S.C. § 853: Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 875(d)]

On or about February 16, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendant TEOFIL

1 BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth"
2 ("BRANK"), with the intent to extort money and things of value from
3 victim D.B., knowingly transmitted in interstate or foreign commerce
4 telephone communications and electronic text communications that
5 contained a true threat to injure the reputation of victim D.B., that
6 is, defendant BRANK threatened to distribute sensitive information
7 about victim D.B. on social media, if victim D.B. refused to transfer
8 money, a motorcycle, and the title to victim D.B.'s automobile to
9 defendant BRANK.

COUNT TWO

[18 U.S.C. § 1951(a)]

On or about February 17, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendant TEOFIL BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth" ("BRANK"), knowingly and with the intent to obtain property, obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, by extortion, as those terms are defined in Title 18, United States Code, Section 1951, in that defendant BRANK knowingly obtained personal property consisting of at least \$500,000 from victim D.B., with victim D.B.'s consent, induced by the wrongful use of fear, by threatening to distribute sensitive information about victim D.B. on social media, if victim D.B. refused to transfer money, a motorcycle, and the title to victim D.B.'s automobile to defendant BRANK.

COUNT THREE

[18 U.S.C. § 880]

On or about February 16, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendant TEOFIL BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth," received, possessed, concealed, and disposed of a vehicle that was obtained from the transmission in interstate commerce of a communication that contained a threat to injure the reputation of victim D.B., in violation of Title 18, United States Code, Section 875(d), knowing the same to have been unlawfully obtained.

COUNT FOUR

[18 U.S.C. § 880]

On or about February 17, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendant TEOFIL BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth," received, possessed, concealed, and disposed of money that was obtained from the transmission in interstate commerce of a communication that contained a threat to injure the reputation of victim D.B., in violation of Title 18, United States Code, Section 875(d), knowing the same to have been unlawfully obtained.

COUNT FIVE

[18 U.S.C. § 1951(a)]

On or about March 3, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendants TEOFIL BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth" ("BRANK"), knowingly and with the intent to obtain property, attempted to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by extortion, as those terms are defined in Title 18, United States Code, Section 1951, in that defendant BRANK knowingly attempted to obtain personal property consisting of at least \$1,000,000 from victim D.B. with victim D.B.'s consent, induced by the wrongful use of fear, by threatening to distribute sensitive information about victim D.B. on social media, if victim D.B. refused to transfer money, a motorcycle, and the title to victim D.B.'s automobile to defendant BRANK.

COUNT SIX

[18 U.S.C. § 1952(a)(3)]

On or about March 3, 2015, in Los Angeles County, within the Central District of California, and elsewhere, defendant TEOFIL BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth," used a facility of interstate or foreign commerce, namely a cellular telephone, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, namely, extortion offenses in violation of the laws of the State of California and of the United States, and thereafter attempted to perform acts to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of, the extortion.

COUNT SEVEN

[18 U.S.C. § 924(c)(1)(A)(i)]

On or about March 4, 2015, in Los Angeles County, within the Central District of California, defendant TEOFIL BRANK, also known as ("aka") "Jarec Wentworth," aka "@JarecWentworth," knowingly possessed a firearm, namely, a .357 caliber Colt Python revolver, bearing serial number K46715, in furtherance of a crime of violence, namely, attempted extortion affecting interstate commerce, in violation of Title 18, United States Code, Section 1951(a), as charged in Count Five of this Indictment.

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(C); 28 U.S.C. § 2461(c); 21 U.S.C. § 853]

Pursuant to Federal Rule of Criminal Procedure 32.2, notice is hereby given to defendant TEOFIL BRANK ("BRANK") that the United States will seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853 in the event of defendant's conviction under Counts One and Two of this Indictment.

Defendant BRANK shall forfeit to the United States the following property:

a. All right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to any offense set forth in Counts One and Two of this Indictment, including, but not limited to \$500,000.00 that was wire transferred to defendant BRANK by victim D.B. on or about February 17, 2015; and

b. A sum of money equal to the total value of the property described in subsection (a) above.

Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b), defendant BRANK shall forfeit substitute property, up to the total value of the property described in the preceding paragraph, if, as a result of any act or omission of a defendant, the property described in the preceding paragraph, or any portion thereof (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with a third party; (c) has been placed beyond the

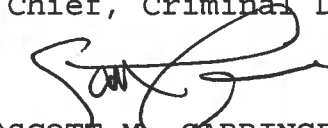
jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property that cannot be divided without difficulty.

A TRUE BILL

Foreperson

STEPHANIE YONEKURA
Acting United States Attorney

ROBERT E. DUGDALE
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Chief, Criminal Division


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